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Loan Servicing, LLC d/b/a SLS*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THOMAS R. LAYTON, an individual

Plaintiff,

v.

SPECIALIZED LOAN SERVICING, LLC, a
Delaware limited liability company d/b/a SLS,

Defendant.

Case No. 2:20-cv-01225-JAD-EJY

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR DEFENDANT
SPECIALIZED LOAN SERVICING, LLC
TO FILE RESPONSIVE PLEADING TO
PLAINTIFF'S COMPLAINT**

[FOURTH REQUEST]

Defendant Specialized Loan Servicing LLC ("SLS") and Plaintiff Thomas R. Layton ("Plaintiff"), by and through their undersigned counsel of record, hereby stipulate and agree as follows:

1. Plaintiff filed a putative Class Action Complaint ("Complaint") against SLS in the Eighth Judicial District Court for the State of Nevada in the above-captioned action on May 27, 2020.

2. Plaintiff served the Complaint on SLS on May 29, 2020.

3. On June 29, 2020, SLS removed the matter to this Court pursuant to the 28 U.S.C. § 1441 and 28 U.S.C. § 1332(d).

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1 4. Pursuant to Fed. R. Civ. P. 81(c)(2), the deadline for SLS to respond to the Complaint
2 is July 6, 2020, which date was continued to July 31, 2020 by virtue of the Court's Order granting
3 Defendant's Motion to Extend Time to Answer or Otherwise Respond to Plaintiff's Complaint and Set
4 Briefing Schedule (First Request)(ECF No. 4)

5 5. The Court later continued this deadline to September 29, 2020 and then November 30,
6 2020 by virtue of the Court's Order granting the Parties' Stipulation and Order to Extend Deadline for
7 Defendant to File Responsive Pleading to Plaintiff's Complaint (Second Request) (ECF No. 7) and the
8 Parties' Stipulation and Order to Extend Deadline for Defendant to File Responsive Pleading to
9 Plaintiff's Complaint (Third Request) (ECF No. 12). The Court entered orders granting the Parties'
10 stipulations based on, among other things, ongoing settlement efforts and a family emergency for
11 Plaintiff's counsel requiring her immediate attention. Though the Parties had been hopeful the
12 emergency would subside, unfortunately the emergency persists at the present time and has delayed
13 the ability of the Parties to engage in further settlement negotiations.

14 6. In light of this ongoing emergency and the desire for judicial economy, Counsel for the
15 Parties now seek a sixty (60) day extension to the deadline for SLS to respond to the Complaint from
16 November 30, 2020 to January 29, 2021 as the parties are discussing potential resolution of the matter,
17 in addition to Plaintiff's counsel having a family emergency that requires her immediate attention.

18 7. Additionally, given that SLS presently anticipates filing a motion in response to
19 Plaintiff's Complaint, counsel conferred and stipulated to the following briefing schedule:

- 20 a. Deadline for SLS to respond to the Complaint: January 29, 2021;
21 b. Deadline for Plaintiff to file his opposition to any SLS motion: March 1, 2021; and,
22 c. Deadline for SLS to file its reply to Plaintiff's opposition: March 22, 2021.

23 8. This request is made in good faith and not for the purpose of delay. Rather, the parties
24 believe that the requested continuance will further the interests of efficiency and judicial economy by
25 allowing the parties additional time for potential resolution of the matter and by affording Plaintiff's
26 counsel time to attend to her family emergency.

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FURTHER, and for good cause shown, the briefing schedule for any motion filed by SLS in response to the Complaint shall be as follows:

- a. Deadline for SLS to respond to the Complaint: January 29, 2021;
- b. Deadline for Plaintiff to file his opposition to any SLS motion: March 1, 2021; and,
- c. Deadline for SLS to file its reply to Plaintiff's opposition: March 22, 2021.

IT IS SO STIPULATED

DATED this 20th day of November, 2020.

DATED this 20th day of November, 2020.

GREENBERG TRAURIG, LLP

CLARK NEWBERRY LAW FIRM

/s/ Michael R. Hogue

/s/ Tara Clark Newberry

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Counsel for Thomas R. Layton

Counsel for Specialized Loan Servicing LLC

ORDER

IT IS SO ORDERED:

Rayna L. Zouchak
UNITED STATES MAGISTRATE JUDGE

DATED: November 23, 2020